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August 31, 1995

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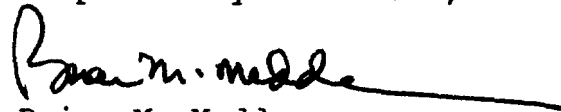
Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
Room 222  
1919 M Street, N.W.  
Washington, D.C. 20554

Dear Mr. Caton:

Transmitted herewith on behalf of George Russell & Associates, Inc. are an original and four copies of a Petition for Rule Making to add Channel 283A to Big Sky, Montana.

Please direct any questions that may arise regarding this petition to the undersigned counsel.

Respectfully submitted,

  
Brian M. Madden

Enclosure

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**ORIGINAL**

**BEFORE THE**  
**Federal Communications Commission**  
**WASHINGTON, D.C. 20554**

**RECEIVED**  
**SEP 1 1995**  
**FEDERAL COMMUNICATIONS COMMISSION**  
**OFFICE OF SECRETARY**

In the Matter of: )

Amendment of Section 73.202(b) )  
Table of Allotments, )  
FM Broadcast Stations. )  
(Big Sky, Montana) )

RM \_\_\_\_\_

To: Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau

**DOCKET FILE COPY ORIGINAL**

**PETITION FOR RULE MAKING**

George Russell & Associates, Inc. ("Petitioner"), by its attorneys and pursuant to Section 1.401 of the Commission's Rules, hereby seeks the institution of a rule making proceeding looking toward the amendment of Section 73.202(b) of the Commission's Rules, the FM Table of Allotments, to add Channel 283A to Big Sky, Montana as its only local transmission service. Big Sky is located in Madison County and has a 1990 U.S. Census population of 407 persons. However, the Montana State Census Bureau estimates that the population of Big Sky has nearly quadrupled since the 1990 Census.

As shown in the attached channel study, Channel 283A may be allotted to Big Sky, Montana consistent with all Commission spacing requirements.<sup>1/</sup>

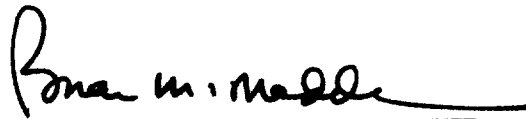
The Petitioner, or an entity under common control with the Petitioner, has a present intention to apply for the channel if it is allotted, and to build the station promptly upon receipt of a construction permit therefor.

WHEREFORE, for the reasons above, the Petitioner requests that a rule making proceeding be instituted to add Channel 283A at Big Sky, Montana to the FM Table of Allotments.

Respectfully submitted,

GEORGE RUSSELL & ASSOCIATES, INC.

By:



Brian M. Madden  
Deborah R. Coleman

Leventhal, Senter & Lerman  
Suite 600  
2000 K Street, N.W.  
Washington, D.C. 20006-1809

August 31, 1995

Its Attorneys

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<sup>1/</sup> It is requested that Channel 283A be allotted to Big Sky, Montana at the reference coordinates of 45° 16' 33" North Latitude, 111° 25' 5" West Longitude.

**ENGINEERING STATEMENT  
IN SUPPORT OF  
PETITION FOR RULE MAKING**

August 22, 1995

George Russell and Associates  
FM Channel 283A □ 104.5 Megahertz  
Big Sky, Montana



LAWRENCE L. MORTON ASSOCIATES  
1231 MESA OAKS LANE  
MESA OAKS, CALIFORNIA 93436-2309  
(805) 733-4275 / FAX (805) 733-4793

# **ENGINEERING STATEMENT**

The information and data contained within this engineering statement were prepared on behalf of George Russell and Associates in support of a petition for rule making. The petitioner proposes to amend the FM Table of Allotments, 47 C.F.R. § 73.202(b) of the Commission's Rules, by adding Channel 283A at Big Sky, Montana.

## **I. BIG SKY, MONTANA**

Big Sky is a community located at the eastern edge of Madison county, near the Madison and Gallatin common county border. Big Sky had a 1990 U.S. Census population of 407 persons, and is experiencing considerable growth. It is estimated by the Montana State Census Bureau that the population of Big Sky has nearly quadrupled since the 1990 Census. Big Sky is a part of the Gallatin Gateway county subdivision, which had populations of 1,949 and 2,807 in 1980 and 1990, respectively. The Madison County population in 1980 was 5,448 and 5,989 in 1990. Gallatin County had a 1980 population of 42,865 and a 1990 Census population of 50,463. Currently, Big Sky has no other AM or FM broadcast facilities or vacant allotments.

The United States Geological Survey centroid geographical coordinates of Big Sky, referenced to the North American Datum of 1927, are:

North Latitude: 45 degrees, 16 minutes, 33 seconds  
West Longitude: 111 degrees, 25 minutes, 05 seconds

From these Big Sky centroid coordinates, Channel 283A is fully-spaced to all FCC assignments, allotments and proposals contained within the latest FCC FM Engineering database made available through the National Technical Information Service. Figure one shows the relative location of Big Sky within Madison County.

## **II. MINIMUM SPACING REQUIREMENTS**

The following table shows a listing of the nearest licensed facilities and allocations currently on file with the required distance separations for Channel 283A. For clarity, facilities that are greater than 350 kilometers beyond the minimum required separations are not shown.

As required by § 73.207 all minimum distance separation requirements are met from the Channel 283A allotment reference site proposed for Big Sky. All distances were computed by the methods outlined in § 73.208(c) of the Commission's Rules and were rounded to the nearest kilometer in accordance with § 73.208(c)(8).

ALLOCATION-PERTINENT STATIONS AND SPACING REQUIREMENTS OF § 73.207					
KZBQ	229-C	42° 51' 57"	112° 30' 46"	282. Km	29. Km
KATH	229-C1	45° 41' 34"	110° 58' 57"	58	22
ALLOC	280-C1	41° 55' 57"	111° 38' 27"	372	75
KOFI-FM	280-C1	48° 05' 39"	114° 16' 11"	381	75
NEW	281-C	44° 29' 46"	109° 09' 16"	199	95
KHKR-FM	281-C1	46° 46' 11"	112° 01' 25"	173	75
KLTB	282-C	43° 45' 18"	116° 05' 52"	408	165
KSIT	283-C	41° 26' 00"	109° 07' 02"	466	226
KRMR	284-C	43° 16' 45"	114° 09' 14"	311	165
NEW	285-C	47° 09' 34"	111° 00' 39"	212	95
ALLOC	286-A	45° 46' 58"	108° 30' 13"	235	31

### III. CONCLUSIONS

The results of this study demonstrate that the FM Table of Allotments in § 73.202(b) of the Commission's Rules may be amended in technical compliance with all applicable spacing rules. Therefore, the Petitioner, George Russell and Associates, respectfully requests the following addition to the Table:

<u>PRESENT</u>	
<u>CITY</u>	<u>CHANNEL</u>
Big Sky, Montana	----
 <u>PROPOSED</u>	
<u>CITY</u>	<u>CHANNEL</u>
Big Sky, Montana	283A

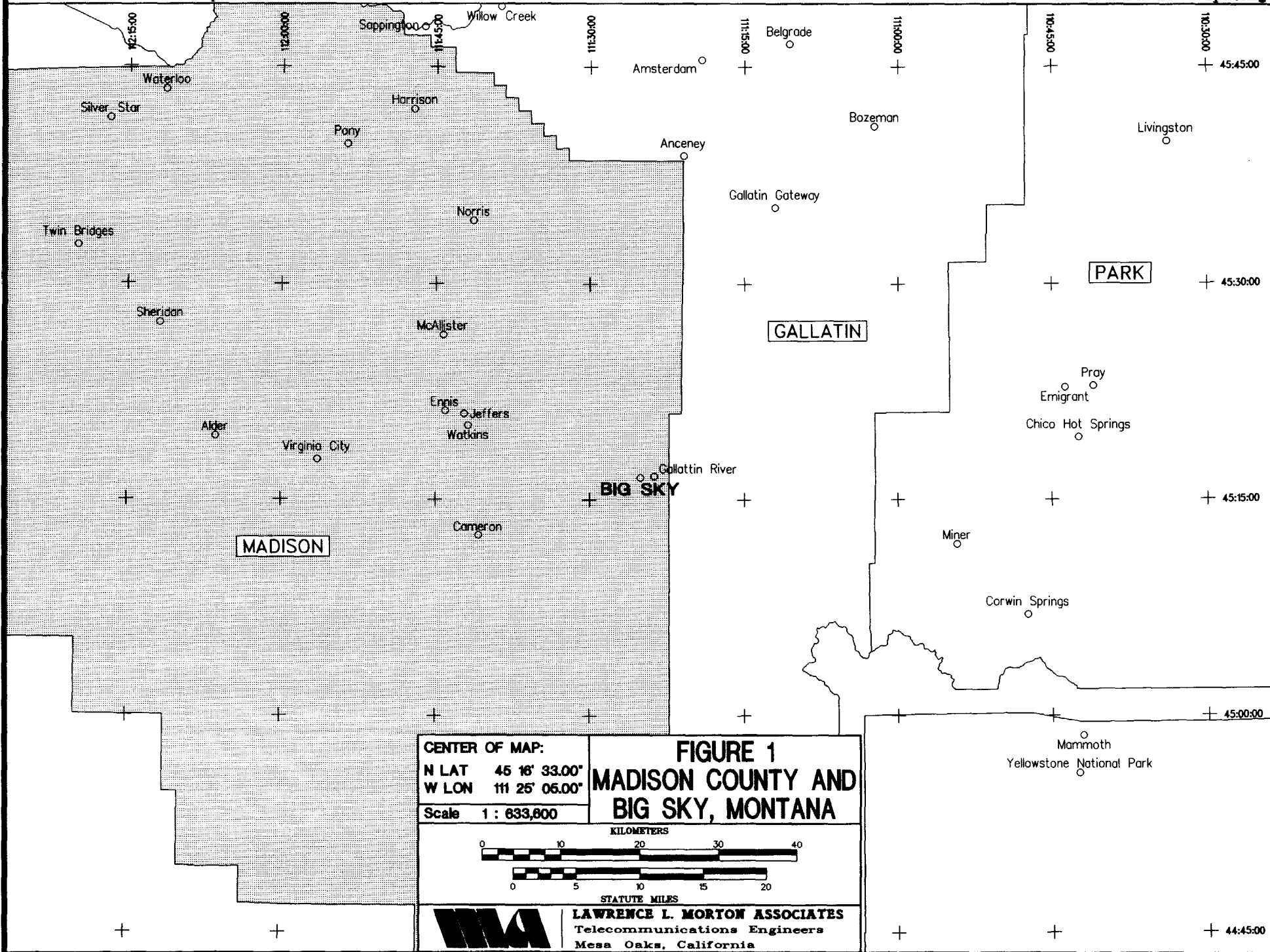
The petitioner asserts that, upon allotment of Channel 283A to Big Sky and the opening of a filing window, an application for construction permit will be filed promptly to build a new Class A facility to serve Big Sky, Montana.

Respectfully Submitted,

Lawrence L. Morton, P.E.  
Consulting Engineer to the Petitioner  
August 22, 1995

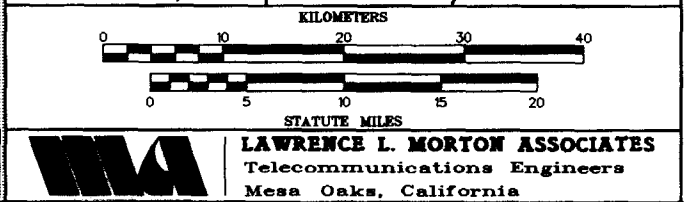
Lambert Azimuthal Equal-Area

15' 00" Graticule Spacing



CENTER OF MAP:  
 N LAT 45 16' 33.00"  
 W LON 111 25' 05.00"  
 Scale 1 : 633,600

**FIGURE 1**  
**MADISON COUNTY AND**  
**BIG SKY, MONTANA**



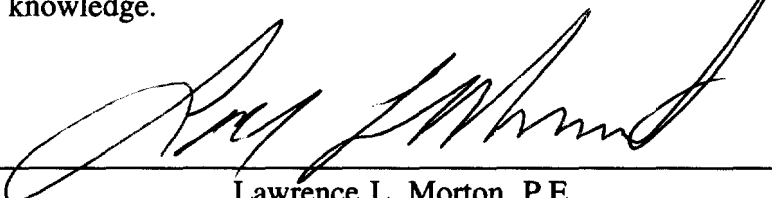
## AFFIDAVIT

State of California                    )  
  )    ss:  
County of Orange                    )

Lawrence L. Morton, being first duly sworn upon oath, deposes and says:

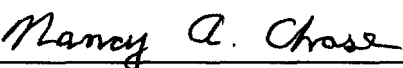
- That he is a qualified engineer,
- That he is a Registered Professional Engineer in the State of California,
- That he is a member of the Association of Federal Communications Consulting Engineers,
- That his qualifications are a matter of record with the Federal Communications Commission,
- That he has prepared many broadcast applications and engineering exhibits that have been filed with and granted by the Federal Communications Commission,
- That he has carried out such engineering work and that the results thereof are attached hereto and form part of this affidavit, and
- That the foregoing statement and the report regarding the aforementioned engineering work are true and correct of his own knowledge.

Date: August 22, 1995

  
\_\_\_\_\_  
Lawrence L. Morton, P.E.

On August 22, 1995, before me, Nancy A. Chase, a Notary Public, in and for the State of California, personally appeared Lawrence L. Morton known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

My Commission expires 11/30/96

  
\_\_\_\_\_  
Notary Public

